

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application and for the interview, which was conducted on February 13, 2008. The application has been carefully reviewed in light of the interview, and the claims have been amended as suggested by the Examiner to more clearly distinguish from the prior art. A more detailed discussion of the interview follows.

INTERVIEW

In accordance with MPEP § 713.04, the following is a description of the substance of the above-mentioned interview.

During the interview, the rejection of claims 1, 12, 13 and 14 under 35 U.S.C. 112, first paragraph was discussed. Applicants' undersigned representative explained that the claim terms "creating location information" are supported by a description in the specification of a process of creating data representing an event location, which is set forth on page 14 and refers to Fig. 1A. The Examiner agreed that the referenced description would satisfy the written description requirement. The claim terms "data being different from the list of point" was also discussed. As described in more detail below, it was agreed that support for these terms is provided by the written description in the "Background" section on pages 1-3.

Further, during the interview, the Examiner indicated that the art-based rejections could be overcome by rewriting the terms "location information" to recite "event location information." More specifically, the Examiner indicated that an "event location" was not taught by the cited references. Therefore, in order to expedite that prosecution of the present application, the claims have been amended in accordance with the examiner's suggestion.

DISCUSSION

Rejections Under 35 U.S.C. 112, First Paragraph

Claims 1, 12, 13 and 14 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Regarding claim 1, the Office Action dated August 14, 2007 stated that there is no support in the disclosure could be located for the terms “creating location information” as recited in the claim. By the present amendment, these terms now read “creating event location information.” On page 14 of the specification, with reference to Fig. 1A, steps 1 to 5 disclose a process which leads to the creation of “data representing the event location” (step 5). Accordingly, this disclosure sufficiently satisfies the written description requirement with respect to the terms “creating event location information” in claim 1.

Further, regarding claims 1, 12, 13 and 14, the Office Action stated that no support could be found in the disclosure for “data being different from the list of points” as recited in the claims. Although there is no explicit disclosure of this limitation in the description of the preferred embodiments, Applicants respectfully submit that one of ordinary skill in the art, upon viewing the entire disclosure would understand that this limitation is implied. First, in the background of the invention, Applicants describe the problems that exist in the related art, wherein map data produced by different companies contains different errors, making it difficult to correlate a location on different maps solely by using coordinate information (see page 1, lines 20-25; see also page 2, line 19 to page 3, line 2). Second, the specification describes a process of map matching in which a road section described by the location information received by the receiving party must be identified in a digital map database. This process involves several imprecise techniques including shape matching in which candidate roads are identified. (See page 14, line 25 to page 15, line 9.) Clearly, one of ordinary skill in the art would appreciate that if the data in the second digital map were not different than the data in the first digital map, there would be no need to go through a process of map matching, since there would be a direct correlation between the two maps. Thus, it is respectfully submitted that the limitation “data being different from the list of points” as recited in

claims 1, 12 and 13 is sufficiently supported by the specification for purposes of 35 U.S.C. 112, first paragraph. Claim 14 has been cancelled.

Rejection Under 35 U.S.C. 112, Second Paragraph

Further, claim 13 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for lack of clear antecedence for the limitation “the other digital map.” This rejection was rendered moot by the amendment to claim 13 set forth in Applicants’ amendment submitted with the Requested for Continued Examiner that was mailed on October 23, 2006.

Rejections Under 35 U.S.C. 102 and 103

Claims 1-3, 5-7 and 11-15 were rejected under 35 U.S.C. 102(e) over U.S. Patent No. 6,249,740 to Ito et al. (hereinafter “Ito”).

Claims 8-10 were rejected under 35 U.S.C. 102(b) over U.S. Patent No. 4,982,332 to Saito (hereinafter “Saito”).

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ito in view of Saito.

Claims 2-5, 7-11, 14 and 15 have been cancelled by amendment. Claims 1, 12 and 13 have been amended to recite an “event location.” Neither Ito nor Saito, nor any combination thereof, teaches, suggests or otherwise renders obvious an “event location” as claimed. Therefore, amended claims 1, 12 and 13 are patentable over the prior art of record. Further, claim 6, which depends from claim 1, is patentable for the same reasons.

New Claims 16-21

Independent claim 16, which has been added by amendment herein, is directed to a system for identifying a location using a first digital map that is different from a second digital map. As with amended claims 1, 12 and 13, new claim 16 also recites an “event location” which is not taught or suggested by any of the prior art of record. New claims 17-21 depend from claim 16. Accordingly, claims 16-21 are patentable over the prior art of record for at least the same reasons as for amended claims 1, 12 and 13.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-34408.

Respectfully submitted,
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